

MAGISTRATE JUDGE'S MINUTES
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA – PHOENIX

U.S. Magistrate Judge: Deborah M. Fine

Date: February 1, 2022

USA v. David Allen Harbour

Case Number: CR-19-00898-001-PHX-DLR

Assistant U.S. Attorney: Kevin M. Rapp

Attorney for Defendant: Ashley Adams, Retained

Other Appearances (telephonic):

PTS Officer Matthew Szmytke for Gretchen White

Special Agent Brandon Lopez

Defendant: ☒ **Present (telephonically)** ☐ **Not Present** ☐ **Released** ☒ **Custody**

PRETRIAL RELEASE REVOCATION HEARING (Continued):

2:47 p.m. This is the time set for a continuation of the Pretrial Release Revocation Hearing. Defendant consents to appearance via teleconference for this hearing. Observers over the phone line are required to mute their phones and are prohibited from recording or rebroadcasting any of the proceeding. Initial Appearance is held on the allegation in the United States' Second Supplemental Petition to Revoke Defendant Harbour's Release Pending Trial (Doc. 326).

Special Agent Troy Cofer is sworn and further examined. Government's Exhibits 32, 33, 43 and 41 are admitted in evidence. The witness is excused. Defense Exhibit 55 is admitted in evidence. Matthew Szmytke is sworn and examined telephonically. The witness is excused. 4:08 p.m. Court stands at recess.

4:24 p.m. Court reconvenes. Defense Exhibits 12, 15, 16, 17, 18, 20, 21, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 58 (as modified), and 76 are admitted in evidence. Defense rests. Counsel shall submit simultaneous memoranda and closing argument (17 page limit) by February 15, 2022. Defense counsel's renewed request to release Defendant pending further proceedings is DENIED for reasons stated on the record.

5:29 p.m. Court stands at recess until **Friday, February 25, 2022 at 1:00 p.m.** in Courtroom 304. Time allotted: 90 minutes.

Court Reporter: Teri Veres

Deputy Clerk: Lisa Richter

2 hrs 42 mins

Start: 2:47 PM

Stop: 5:29 PM